

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Kristina Garcia,) Case No. 19-11673
)
 v.) Hon. Linda V. Parker
)
 Beaumont Health and Rachel Luca.) Magistrate Judge David R. Gra

BILL OF COSTS

Judgment having been entered in the above entitled action on 10/25/2021 against Plaintiff
Date

the Clerk is requested to tax the following as costs:

CATEGORY	ATTORNEY COMMENTS	AMOUNT
A. Fees of the Clerk		
B. Fees for service of summons and subpoena		
C. Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	See Itemized Attachment A	\$2,917.48
D. Fees and disbursements for printing		
E. Fees for witnesses (<i>itemize on page two</i>)		
F. Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case		
G. Docket fees under 28 U.S.C. 1923		
H. Costs as shown on Mandate of Court of Appeals		
I. Compensation of court-appointed experts		
J. Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
K. Other costs (<i>please itemize</i>)		
	TOTAL	\$2,917.48

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

Electronic service First class mail, postage prepaid
 Other: _____

Name of Attorney: Shannon V. Loverich

For: Defendant Beaumont Health Date: November 22, 2021

Name of Claiming Party

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							TOTAL

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:**RULE 54(d)(1)**

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 1 day's notice. On motion served within the next 5 days, the court may review the clerk's action

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

Attachment A

**Kristina Garcia v. Beaumont Health, et al.
U.S. District Court No. 19-11673**

Deposition/Hearing Transcript Used in Support of Motion for Summary Judgment

Deposition transcript of Kristina Garcia dated 02.04.2020 attached to Defendant's Motion for Summary Judgment as Exhibit A (*See, e.g.*, Doc #72-2, PgID 899)

Taxable items from invoice:

Transcript (Bill of Costs Handbook II.C.1.d): \$1528.85

(\$1148.85 *Transcript* + \$380 *Realtime*)

Attendance (Bill of Costs Handbook II.C.1.f): \$293.13

Delivery/Handle/Process (Bill of Costs Handbook II.C.1.g): \$45.19

Copy of Transcript (Bill of Costs Handbook II.C.1.k): \$20

Video Pages (Bill of Costs Handbook II.C.1.i): \$

Litigation Support Package (Bill of Costs Handbook II.C.1.i): \$40.00

Exhibits (Bill of Costs Handbook II.C.1.h): \$43.50 \$1,970.67

Deposition transcript of Kristina Garcia dated 09.22.2020 attached to Defendant's Motion for Summary Judgment as Exhibit A (*See, e.g.*., Doc #72-2, PgID 1056)

Taxable items from invoice:

Transcript (Bill of Costs Handbook II.C.1.d): \$262.20

Attendance (Bill of Costs Handbook II.C.1.f): \$70.00

Delivery/Handle/Process (Bill of Costs Handbook II.C.1.g): \$43.83

Copy of Transcript (Bill of Costs Handbook II.C.1.k): \$20.00

Video Pages (Bill of Costs Handbook II.C.1.i): \$

Litigation Support Package (Bill of Costs Handbook II.C.1.i): \$40.00

Exhibits (Bill of Costs Handbook II.C.1.h): \$7.00 \$443.03

Deposition transcript of Antoinette Carroll dated 02.21.2020, cited to in Defendant's Motion for Summary Judgment as Exhibit D (*See, e.g.*, Doc #72-5, PgID 1143)

Taxable items from invoice:

Transcript (Bill of Costs Handbook II.C.1.d): \$260.37

Attendance (Bill of Costs Handbook II.C.1.f): \$

Delivery/Handle/Process (Bill of Costs Handbook II.C.1.g): \$5.00

Copy of Transcript (Bill of Costs Handbook II.C.1.k): \$

Video Pages (Bill of Costs Handbook II.C.1.i): \$

Litigation Support Package (Bill of Costs Handbook II.C.1.i): \$

Exhibits (Bill of Costs Handbook II.C.1.h): \$9.00 \$274.37

Deposition transcript of Jean Aphram dated 03.13.2020, attached to Defendant's Motion for Summary Judgment as Exhibit E (*See, e.g.*., Doc #72-6, PgID 1204)

Taxable items from invoice:

Transcript (Bill of Costs Handbook II.C.1.d): \$

Attendance (Bill of Costs Handbook II.C.1.f): \$

Delivery/Handle/Process (Bill of Costs Handbook II.C.1.g): \$5.00

Copy of Transcript (Bill of Costs Handbook II.C.1.k): \$215.66

Video Pages (Bill of Costs Handbook II.C.1.i): \$

Medical/Technical Pages (Bill of Costs Handbook II.C.1.d): \$

Litigation Support Package (Bill of Costs Handbook II.C.1.i): \$

Exhibits (Bill of Costs Handbook II.C.1.h): \$8.75 \$229.41

Total \$2,917.48



INVOICE

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Bingham Farms MI 48025
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Eric J. Pelton
Kienbaum Hardy Viviano Pelton & Forrest, P.L.C.
280 North Old Woodward
Suite 400
Birmingham MI 48009

Invoice No.	Invoice Date:	Payment Terms
110356642	2/18/2020	Due upon receipt

Job No.	Job Date:	Balance
882408	2/4/2020	\$0.00

Case Name
Kristina Garcia vs Beaumont Health, et al

Case No
1911673

Job Location	Ordered By	Reference Info.
US Legal - Lansing 306 Townsend Street State Bar of MI Lansing MI 48933	Eric J. Pelton Kienbaum Hardy Viviano Pelton & Forrest, P.L.C. 280 North Old Woodward Suite 400 Birmingham MI 48009	Client Matter No: Claim No: Insured:

Services/Items	Units	Type	Rate	Charges
Items Covered: ORIGINAL TRANSCRIPT OF:Kristina Garcia				
Original	333.00	Pages	\$3.45	\$1148.85
Exhibit	87.00	Pages	\$0.50	\$43.50
Attendance	8.00	Hours	\$35.00	\$280.00
Attendance Before/After Hours	0.25		\$52.50	\$13.13
Litigation Support Package	1.00		\$25.00	\$25.00
Shipping	1.00		\$25.19	\$25.19
Handle/Process	1.00		\$20.00	\$20.00
Video per page	304.00	Pages	\$0.35	\$106.40
CD Package	1.00		\$15.00	\$15.00
Condensed Transcript	1.00		\$20.00	\$20.00
Tabs	17.00		\$0.55	\$9.35
Realtime	304.00		\$1.25	\$380.00
Taxable (0.00)				
Late Fees				\$312.96

Online bill pay available at www.uslegalsupport.com

Total Due

\$2086.42

Original email sent to myamin@khvpf.com on 02.18.2020
 CD Bundle, Tabbed exhibits and Condensed sent via UPS Tracking
 #1Z 343 54W 03 5920 5660 on 02.18.2020

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(-) Payments/Credits	\$2086.42
(+) Finance Charges/Debits	\$312.96
(=) New Balance	\$0.00

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Fax:248.645.1385

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Invoice No.	110356642
Invoice Date:	2/18/2020
Total Due	\$0.00
Job No.	882408
Case No:	1911673

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Houston TX 77210-4772



INVOICE

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Eric J. Pelton
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280 North Old Woodward
Suite 400
Birmingham MI 48009

Invoice No.	Invoice Date:	Payment Terms
110405186	10/2/2020	Due upon receipt
Job No.	Job Date:	Balance
958200	9/22/2020	\$0.00
Case Name		
Kristina Garcia vs Beaumont Health, et al		
Case No		
1911673		

Job Location	Ordered By	Reference Info.
*U.S. Legal Support - Remote Video Conference To log into this session, please utilize the link below.	Eric J. Pelton Kienbaum Hardy Viviano Pelton & Forrest, P.L.C. 280 North Old Woodward Suite 400 Birmingham MI 48009	Client Matter No: Claim No: Insured:

Services/Items	Units	Type	Rate	Charges
Items Covered: ORIGINAL TRANSCRIPT OF:Kristina Garcia, Vol II				
Original	76.00	Pages	\$3.45	\$262.20
Exhibit	14.00	Pages	\$0.50	\$7.00
RemoteDepo w/InstantExhibit - Videoconferencing	1.00	Minimum		\$0.00
Attendance	2.00	Hours	\$35.00	\$70.00
Litigation Support Package	1.00		\$25.00	\$25.00
Condensed Transcript	1.00		\$20.00	\$20.00
Shipping	1.00		\$23.83	\$23.83
Handle/Process	1.00		\$20.00	\$20.00
CD Package	1.00		\$15.00	\$15.00
VTC Pages	65.00		\$0.35	\$22.75
Video per page	65.00	Pages	\$0.35	\$22.75
Taxable (0.00)				
Late Fees				\$73.28

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Total Due

\$488.53

Condensed copy with tabbed exhibits and CD bundle sent via UPS
Original email sent to myamin@khvpf.com on 10-2-20

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(-) Payments/Credits	\$488.53
(+) Finance Charges/Debits	\$73.28
(=) New Balance	\$0.00

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Fax:248.645.1385

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Kienbaum Hardy Viviano Pelton & Forrest, P.L.C.
280 North Old WoodwardSuite 400
Birmingham MI 48009

Invoice No.	110405186
Invoice Date:	10/2/2020
Total Due	\$0.00
Job No.	958200
Case No:	1911673

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Houston TX 77210-4772



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ERIC J. PELTON
 KIENBAUM HARDY VIVIANO PELTON & FORREST PLC
 280 NORTH OLD WOODWARD AVENUE, SUITE 400
 BIRMINGHAM, MI 48009

Invoice #342912

Date	Terms
03/06/2020	Due Upon Receipt

Assignment	Case	Billing Reference	Shipped On	Shipped Via
02/21/2020	KRISTINA GARCIA vs. BEAUMONT HEALTH and RACHEL L...		03/06/2020	None

Description	Amount
Copy Transcript of ANTOINETTE CARROLL	
Transcript Via E-mail	\$ 5.00
Scanned Exhibits - Repository	\$ 9.00
Copy of Transcript	\$ 260.37
	<hr/>
	\$ 274.37

Amount Due: \$ 274.37
 Paid: \$ 274.37

Balance Due:	\$ 0.00
Payment Due:	Upon Receipt

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 BIRMINGHAM, MI 48009

Invoice #343398

Date	Terms
04/16/2020	Due Upon Receipt

Assignment	Case	Billing Reference	Shipped On	Shipped Via
03/13/2020	KRISTINA GARCIA vs. BEAUMONT HEALTH and RACHEL L...		04/16/2020	None

Description	Amount
Copy Transcript of JEAN APHRAM	
Transcript Via E-mail	\$ 5.00
Copy of Transcript	\$ 215.66
Scanned Exhibits - Repository	\$ 8.75
	<hr/>
	\$ 229.41

Amount Due: \$ 229.41
 Paid: \$ 229.41

Balance Due:	\$ 0.00
Payment Due:	Upon Receipt

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